



Licensing and Safety
Sub-Committee

27 May 2015

10.00 am

Item

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Public

**MINUTES OF THE LICENSING AND SAFETY SUB-COMMITTEE MEETING HELD ON
27 MAY 2015
10.00 - 10.40 AM**

Responsible Officer: Linda Jeavons
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Present

Councillor Keith Roberts (Leader)
Councillors Joyce Barrow, Vernon Bushell, Andrew Davies and Vivienne Parry

1 Election of Chairman

It was proposed, duly seconded and

RESOLVED:

That Councillor K Roberts be elected Chairman for the ensuing year.

2 Apologies

There were no apologies for absence.

3 Appointment of Vice-Chairman

It was proposed, duly seconded and

RESOLVED:

That Councillor A Davies be appointed Vice-Chairman for the ensuing year.

4 Minutes

RESOLVED:

That the Minutes of the meeting of the Licensing and Safety Sub-Committee held on 29 April 2015, be approved as a correct record and signed by the Chairman.

5 Public Question Time

There were no public questions, statements or petitions received.

6 Disclosable Pecuniary Interests

Members were reminded that they must not participate in the discussion or voting on any matter in which they had a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate.

7 Exclusion of Public and Press

RESOLVED:

That in accordance with the provisions of Schedule 12A of the Local Government Act 1972 and Paragraph 10.4(1) of the Council's Access to Information Rules, the public and press be excluded during consideration of the following item.

8 Review of Private Hire Operators' Licence

Consideration was given to an exempt report of the Public Protection Officer (Specialist) in respect of a review of a Private Hire Operator's Licence. The Public Protection Officer (Technical) was also in attendance.

All parties were invited to ask questions of the Public Protection Officer (Specialist) but declined.

Two applicants and their legal representative were in attendance and confirmed that they were agreeable to Members and Officers knowing their names. The legal representative presented the case to the Sub-Committee providing background information and drew attention to the impending change to the regulations.

In response to questions raised by Members of the Sub-Committee and the PPO (Specialist), the legal representative confirmed that:

- As the applicants had been licensed at two addresses they thought they could operate and take bookings from the one base;
- Prior to 17 September 2014, the applicants had not been made aware that they could not operate as they had been doing;
- Mobile phones had been used to take bookings for the Shropshire area; and
- The offices based in the Shropshire Council area would be fully operational by 24 June 2015.

The Public Protection Officer (Specialist) summed up the application and the Chairman invited the applicant to make any final comments prior to the Sub-Committee making its decision.

Members of the Sub-Committee retired to consider the matter, in private, at 10.05 a.m. and reconvened at 10.35 a.m. to announce their decision.

RESOLVED:

That the Private Hire Operator's Licence ("the Licence") be suspended for six weeks commencing 19th June 2015.

The parties were advised that the decision would be confirmed in writing within 7 days of the date of the hearing. Every party had the right of appeal against this decision to the Magistrates Court within 21 days of being notified of the decision.

Reasons

The Sub-Committee had read all of the documents submitted prior to the hearing and considered all the representations made by the parties at the hearing. The Sub-Committee was satisfied that there had been a material change in the circumstances of the operator on the basis of which the Licence was granted.

The Sub-Committee was concerned by the number of breaches of conditions of the Licence and that these breaches had been ongoing for some considerable time. Further the Sub-Committee was concerned that the Licence Holder had failed to take timely action to rectify the situation following notification of the breaches and advice given by the Licensing Authority.

The Sub-Committee took account of the representations made by the Licence Holder that measures were now being put in place to deal with the breaches of the Licence, namely that a dedicated telephone line was to be installed at the premises as detailed in the report and located within the administrative jurisdiction of Shropshire Council, that an operator was to be employed at the premises and that bookings and records would be kept separate and within the administrative jurisdiction of Shropshire Council.

Whilst the Sub-Committee was aware of the impending changes to the current legislation, Members of the Sub-Committee were obliged to deal with this matter in accordance with the law at the date of the hearing.

Due to the serious nature of the breaches the Sub-Committee considered it appropriate to suspend the Licence for a period of six weeks. The suspension period would allow sufficient time for the Licence holder to put the appropriate measures in place to ensure future compliance with the Licence.

9 Date of Next Meeting

RESOLVED:

That it be noted that the next meeting of the Licensing and Safety Sub-Committee be held at 10.00 am on Wednesday, 1 July 2015, venue to be confirmed.

Signed (Chairman)

Date: